

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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**In Re: Methyl Tertiary Butyl Ether ("MTBE")  
Products Liability Litigation**

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**Master File No. 1:00 – 1898  
MDL 1358 (SAS)  
M21-88**

**This document relates to:**

**ORDER OF DISMISSAL  
WITH PREJUDICE**

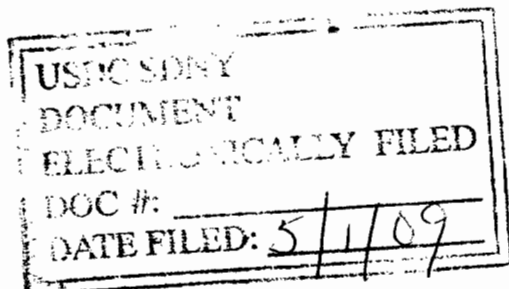
*Tonneson, et al. v. Sunoco, Inc., et al.*, 03 Civ. 8248

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Defendants and Third-Party Plaintiffs Sunoco, Inc. and Sunoco, Inc. (R&M) (formerly known, and improperly named in the Complaint as Sun Company, Inc. (R&M) and Sunoco (R&M) (collectively "Sunoco")) and Third-Party Defendant Chestnut Mart of Newburgh, Inc. and Defendants Chestnut Petroleum Distributors and Sal Jamal have advised the Court that they have resolved the matters between them, and the parties have stipulated to the entry of this agreed-upon dismissal of all claims of any kind pending between them with prejudice. The Court finds that dismissal of Sunoco and Chestnut Mart of Newburgh, Inc., Chestnut Petroleum Distributors and Sal Jamal with prejudice from this action should be entered and that:

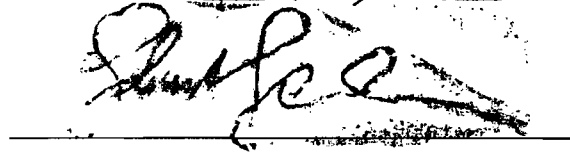
IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

1. Sunoco and Chestnut Mart of Newburgh, Inc., Chestnut Petroleum Distributors and Sal Jamal have advised the Court that they have resolved the matters between them.
2. The parties consent to the dismissal with prejudice of Sunoco and Chestnut Mart of Newburgh, Inc., Chestnut Petroleum Distributors and Sal Jamal from this action.



3. No other parties have objected to the dismissal of the above entitled action with prejudice as to Chestnut Mart of Newburgh, Inc., Chestnut Petroleum Distributors, Sal Jamal and Sunoco only.
4. Therefore, this action, including all claims, counterclaims, and cross-claims of any kind. is hereby dismissed with prejudice as to Chestnut Mart of Newburgh, Inc., Chestnut Petroleum Distributors, Sal Jamal and Sunoco.

ENTERED this 1 day of <sup>May</sup>~~February~~, 2009:

A handwritten signature in black ink, appearing to read "Shira A. Scheindlin", is written over a horizontal line.

Honorable Shira A. Scheindlin